

**SUMTER COUNTY BOARD OF COMMISSIONERS**  
**EXECUTIVE SUMMARY**

**SUBJECT:** \*R2009-0016 - Rezoning to Planned Industrial (IP) - Lee Capital Limited Partnership  
- SR 44/Wildwood

**REQUESTED ACTION:** **Approve rezoning R2009-0016 subject to staff and Zoning & Adjustment Board conditions.**

☐ Work Session (Report Only)  
☒ Regular Meeting

**DATE OF MEETING:** 9/29/2009  
☐ Special Meeting

**CONTRACT:** ☒ N/A

Effective Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_  
Termination Date: \_\_\_\_\_

**BUDGET IMPACT:**

☐ Annual  
☐ Capital  
☒ N/A

**FUNDING SOURCE:** \_\_\_\_\_

**EXPENDITURE ACCOUNT:** \_\_\_\_\_

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**HISTORY/FACTS/ISSUES:**

Lee Capital Limited Partnership applied for a rezoning on approximately 239 acres, located at the northwest corner of the intersection of SR 44 and CR 219, to IP (Planned Industrial) for the Lee Capital Limited Partnership Industrial Park (Park). The proposed IP zoning will allow for approximately 2.2 million square feet of industrial uses and 300,000 square feet of commercial/office uses.

Staff finds the proposed rezoning to IP consistent with the requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval subject to conditions contained in Exhibit B of the staff report. Please see the attached staff report of a full discussion and analysis of the proposed rezoning.

On September 21, 2009, the Zoning & Adjustment Board (ZAB) held a public hearing on the proposed rezoning (R2009-0016) and recommended approval subject to staff's recommended conditions and the following amendments:

1. Prohibition of sexually oriented businesses; and
2. Only Permitted Uses in the Industrial (ID) and Commercial (CL, CH, CR) zoning districts are allowed by right. Special Uses or Conditional Uses within the Industrial (ID) and Commercial (CL, CH, CR) zoning districts shall only be allowed through the appropriate public hearing process.

The purpose of the amendments by the ZAB was to provide for more certainty in the uses that may develop within the proposed Park and to provide for additional review of uses that are considered as Special or Conditional Uses due to their potential for adverse impacts to the surrounding community. At the September 21, 2009, ZAB public hearing, the applicant did not object to staff's recommended conditions or ZAB's amendments.

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**SUMTER COUNTY ZONING AND ADJUSTMENT BOARD**  
**September 21, 2009**

**BOARD OF SUMTER COUNTY COMMISSIONERS**  
**September 29, 2009**

<b>CASE NO.</b>	R2009-0016
<b>APPLICANT:</b>	Lee Capital Limited Partnership, LLC
<b>REPRESENTATIVE:</b>	Connor Chambers
<b>REQUESTED ACTION:</b>	Rezone 239.8 acres MOL from ID, A5, & C2 to IP (Planned Industrial).
<b>EXISTING ZONING:</b>	ID, A5, & C2
<b>FUTURE LAND USE:</b>	Industrial
<b>EXISTING USE:</b>	Vacant
<b>PARCEL SIZE:</b>	239.8 acres MOL
<b>GENERAL LOCATION:</b>	Wildwood
<b>LEGAL DESCRIPTION:</b>	See Exhibit A
<b><u>SURROUNDING LAND USE:</u></b>	<b><u>SURROUNDING ZONING:</u></b>
<b>NORTH:</b> Agricultural	<b>NORTH:</b> A5, A1, RR = residences
<b>SOUTH:</b> Agricultural & Commercial	<b>SOUTH:</b> C2, A5 = residence
<b>EAST:</b> Agricultural & Industrial	<b>EAST:</b> A1, A5, ID = residence & mobile home
<b>WEST:</b> Commercial & Agricultural	<b>WEST:</b> A5, CH, CL = vacant & RV park
<b>COMMISSIONER'S DISTRICT:</b>	Doug Gilpin

**CASE SUMMARY:**

The subject property is located on the northwest corner of SR 44 & CR 219 in the Wildwood area of the unincorporated area of Sumter County. The subject property is approximately 239.8 acres.

The subject property has a future land use of Industrial, approved by the County in 2008 (CPA2008-0002). This request is to rezone the property from ID, A5, & C2 to IP (Planned Industrial) to allow for the use of the subject property as an industrial park with associated commercial and office space.

### CASE ANALYSIS:

The general character of the area surrounding and within the local vicinity of the subject property is a mix of industrial, agricultural, and rural residential uses. The subject property is adjacent to an existing industrial park in the City of Wildwood. The SR 44 corridor, from US 301 to SR 44, has been identified by the County as a future major industrial corridor due to the proximity to major transportation routes (I-75, Florida Turnpike, US 301, SR 44), availability of water and wastewater infrastructure (City of Wildwood), and existing industrial and commercial development on the corridor.

The requested rezoning is to the IP (Planned Industrial) zoning district. The IP zoning district is a requirement of the Sumter County Comprehensive Plan for the subject property (Policy 7.1.2.18 of the Future Land Use Element). The IP zoning process is appropriate for large projects, projects with a sensitive interface with residential or agricultural properties, and projects with significant infrastructure requirements.

Section 13-332(a)(5)(b), Land Development Code, provide for the standards for the IP zoning district. The following provides a summary of the compliance of the IP zoning district standards (*staff's analysis is in italic text*).

1. The IP district allows for any permitted industrial, commercial, or office use subject to limitations established in the approval of the IP district (office and commercial uses can not exceed 25% of total project gross floor area).

*The following table shows the uses proposed for this project. The reference to Section b in the table refers to a limitation that prohibits the development to exceed Development of Regional Impact thresholds established in Florida Statutes and Florida Administrative Code.*

PERMITTED USES	MAXIMUM GROSS FLOOR AREA	MAXIMUM HEIGHT
Industrial including manufacturing, fabrication, processing, assembling, treating, and large scale storage and warehousing, wholesaling and distribution, and research and testing	2,233,500 square feet (see Section b below)	50 feet
Commercial and/or Office	300,000 square feet (see Section b below)	35 feet

2. IP must be in an Industrial or Mixed Use Future Land Use.

*The Future Land Use of the subject property is Industrial.*

3. IP must front on a federal, state, or county arterial road that is convenient and easily accessible from intersection federal, state, or county arterial roads.

*The subject property is located on SR 44, a state arterial road and is located between I-75 and US 301, two federal arterial roads.*

4. Buildings shall not cover more than 50% of the property.

*The proposed buildings cover approximately 24% of the subject property;*

5. Maximum building height of 50 feet.

*The proposed maximum building height is 50 feet for industrial buildings and 35 feet for commercial or office buildings.*

6. Setback of 75 feet from arterial roads and 25 feet from local roads.

*Setbacks are a minimum of 75 feet from SR 44 and 70 feet from CR 219.*

7. Setback of 20 feet from rear and side property lines.

*Setbacks are a minimum of 350 feet from rear and side property lines.*

8. Minimum separation area of 100 feet between industrial building/activity and property line of residential property.

*The closest industrial building along the northern property line adjacent to residential property is 350 feet. The industrial buildings along CR 219 range from 100 feet to 350 feet from the property line. The 350 foot separation is for the industrial buildings directly across from developed residential properties on CR 219.*

9. Screening is required as follows:

- a. Where industrial activity is within 200 feet of residentially developed property - Type A (100% opaque from ground to six (6) feet at time of occupancy and 50% opaque between six (6) feet and nine (9) feet within two (2) years of occupancy.
- b. Where industrial activity is between 200 feet and less than 400 feet of residentially developed property - Type B (75% opaque from ground to four (4) feet at time of occupancy and 50% opaque between four (4) feet and six (6) feet within two (2) years of occupancy.
- c. Where industrial activity is between 400 feet and less than 600 feet of residentially developed property - Type C (50% opaque from ground to two (2) feet at time of occupancy and 50% opaque between two (2) and four (4) feet within two (2) years of occupancy.
- d. Along road frontage - Type C (50% opaque from ground to two (2) feet at time of occupancy and 50% opaque between two (2) and four (4) feet within two (2) years of occupancy.

*The proposed screening includes Type A screening along the northern property line and along CR 219 where the project is across from residentially developed property. A Type C screening is proposed along SR 44 and along CR 219 where adjacent to the existing industrial park.*

*The applicant has met and discussed the proposed project with many of the surrounding residential property owners. A summary of the applicant's efforts to meet with the surrounding property owners, provided by the applicant, is shown in Exhibit C.*

The subject property is proposed to be accessed from three (3) access points on SR 44 and three (3) access points on CR 219. SR 44 is under the jurisdiction of the Florida Department of Transportation (FDOT). All access connections, turn lanes, and traffic signals are subject to approval and permitting by the FDOT.

CR 219 is local County maintained road. Currently, the southern portion of CR 219 was previously improved to accommodate heavy truck traffic from the existing industrial park on the east side of CR 219. However, the remainder of CR 219, to the northern project access point on CR 291, will need to be improved to handle the traffic impacts of the proposed projects. Sumter County Public Works determined there is little or no dedicated right-of-way along the northern portion of the proposed project and that the actual pavement will need to be at least widened to 24' and may need to be reconstructed. Consequently, staff recommends the following condition of approval to specifically address the condition of CR 219:

Prior to the submittal by of a site plan for the first development phase or building within the subject property, a pavement evaluation (structural and lane width) performed by a Florida Professional Engineer shall be provided by the applicant for CR 219 from the northern access point to SR 44. This evaluation shall include the full buildout traffic impact of the project. The applicant shall be required to make the improvements necessary to bring CR 219 up to the sufficient standard to accommodate the projects traffic impacts. Notwithstanding the findings of the pavement evaluation, the applicant shall provide at least 24' of pavement on CR 219, where 24' of pavement does not currently exist, and dedicate 35' of right-of-way to the county along CR 219 where required by Sumter County Public Works.

Typically, at the time of site plan review for a site development permit a traffic study is completed to assure the construction of that new building will meet traffic concurrency requirements. However, given the scale of this specific proposed project, staff recommends a condition that requires a full buildout traffic study be submitted with the first site development plan. This will allow for a full analysis of the impacts at buildout of the project and will provide an opportunity to identify needed roadway capacity projects that may be needed over the long term. Consequently, staff recommends the following condition of approval:

Prior to the submittal by of a site plan for the first development phase or building within the subject property, Lee Capital shall undertake or commission a traffic analysis, to be prepared by a reputable and licensed traffic engineer for such traffic studies, whose report shall analyze and describe the offsite roadway impacts to be expected from the entire project's planned uses and vehicle trips (and not merely the traffic impacts of that first development phase). The traffic study shall be prepared consistent with the County's traffic study methodology and will be reviewed and approved by the County. If the traffic study indicates the need for mitigation to roadways impacted by the project to either maintain adopted level of service standards or to bring existing roadways to an acceptable standard to accommodate the increased traffic demand of the project, then Lee Capital shall be responsible to either make the required improvements or to fund their proportionate share of the cost of the required improvements consistent with the County's Proportionate Share ordinance (Ordinance 2006-36; Sections 20-101 through 20-111, Sumter County Code of Ordinances).

Because the subject property is adjacent to the existing City of Wildwood city limits and the project will be connecting to City of Wildwood potable water and wastewater services, the City of Wildwood requires this subject property to annex into the City limits prior to actual development. The applicant is aware of this City requirement. As a result of the Interlocal Service Boundary/Joint Planning Agreement (ISBA/JPA) between the City of Wildwood and the County, approved by the Board of County Commissioners in April 2009, the pending annexation does not make moot the zoning approval and associated conditions for the subject property by the County. The planning coordination within the ISBA/JPA with the City has included the City as a party to the review and comment on the proposed rezoning. In addition, the City, upon annexation, shall maintain the approval conditions under the County's zoning process and add additional City requirements, primarily related to commercial building and design standards, as the project developed within the City.

The Sumter County Development Review Committee (DRC) reviewed this application on July 6, 2009, and recommended approval to the Zoning & Adjustment Board subject to conditions shown in Exhibit B.

**DIVISION OF PLANNING & DEVELOPMENT STAFF CONCLUSIONS:**

Staff deems the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval subject to conditions in Exhibit B.

**Notices Sent: 20 (In objection) 3 (1 property owner sent 2 letters) (In favor) 0**

**Zoning & Adjustment Board Recommendation: Approve subject to staff conditions with the following amendments (10-0):**

1. Prohibition of sexually oriented businesses; and
2. Only Permitted Uses in the Industrial (ID) and Commercial (CL, CH, CR) zoning districts are allowed by right. Special Uses or Conditional Uses within the Industrial (ID) and Commercial (CL, CH, CR) zoning districts shall only be allowed through the appropriate public hearing process.

**Board of County Commissioners:** \_\_\_\_\_

EXHIBIT "A"

LEGAL DESCRIPTION:

THOSE PORTIONS OF SECTION 1, 2, 11 AND 12, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 12; THENCE N89°55'42"E ALONG THE NORTH LINE OF SAID SECTION 12 FOR 2633.15 FEET TO EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 63, PAGE 115, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE ALONG SAID EAST LINE THE FOLLOWING FOUR COURSES, S00°05'49"W FOR 1680.06 FEET; THENCE S35°54'32"E FOR 606.15 FEET; THENCE S11°54'33"E FOR 245.60 FEET; THENCE S05°35'25"W FOR 922.74 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 44 AS DESCRIBED IN OFFICIAL RECORDS BOOK 581, PAGE 488, OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA (SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 5589.58 FEET); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SEVEN COURSES: RUN NORTHWESTERLY FROM A RADIAL LINE WHICH BEARS S25°32'58"W, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°17'14" FOR A DISTANCE OF 418.25 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 6505.44 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°50'30" FOR A DISTANCE OF 1117.44 FEET; THENCE N39°40'42"E ALONG A RADIAL LINE FOR 150.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 6355.44 FEET THROUGH A CENTRAL ANGLE OF 04°14'50" FOR 471.10 FEET; THENCE S43°55'31"W ALONG A RADIAL LINE FOR 150.00 FEET; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE: RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 6505.44 FEET THROUGH A CENTRAL ANGLE OF 08°27'25" FOR A DISTANCE OF 960.20 FEET TO THE POINT OF TANGENCY; THENCE N37°37'01"W FOR 1167.52 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 166, PAGE 154 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY, EASTERLY AND NORTHERLY LINE OF SAID PARCEL THE FOLLOWING THREE COURSES; N52°27'31"E FOR 189.34 FEET; THENCE N37°32'29"W FOR 219.96 FEET; THENCE S52°27'31"W FOR 189.63 FEET TO THE AFORESAID NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 44; THENCE N37°37'01"W ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE FOR 451.69 FEET TO THE SOUTHERLY LINE OF SOUTHEAST 1/4 OF SECTION 2; THENCE S89°38'02"W ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND SOUTHERLY LINE OF SAID SECTION 2 FOR 6.28 FEET; THENCE N37°37'01"W ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE FOR 1660.50 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 2; THENCE DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE N89°49'21"E ALONG SAID NORTH LINE FOR 1479.97 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 1, THENCE N89°49'43"E ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1 FOR 1680.74 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SOUTHWEST 1/4 OF SECTION 1; THENCE S00°03'19"W ALONG SAID WEST LINE FOR 659.91 FEET TO THE SOUTH LINE OF SAID EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 1; THENCE N89°52'42"E ALONG SAID SOUTH LINE FOR 335.77 FEET TO THE EAST LINE OF SAID EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 1; THENCE N00°05'08"E ALONG SAID EAST LINE FOR 660.20 FEET TO THE AFORESAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1; THENCE N89°49'43"E ALONG SAID NORTH LINE FOR 672.49 FEET TO THE NORTHEAST CORNER OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1; THENCE S00°10'00"W ALONG THE EAST LINE OF SAID SOUTH 1/2 FOR 12.00 FEET TO THE NORTH LINE OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 141, PAGE 102 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY, WESTERLY AND SOUTHERLY LINES OF SAID PARCEL THE FOLLOWING COURSES: S89°49'43"W FOR 210.00 FEET; THENCE S00°10'00"W FOR 672.01 FEET; THENCE N89°46'34"E FOR 210.00 FEET TO THE AFORESAID EAST LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1; THENCE S00°10'00"W ALONG SAID EAST LINE FOR 637.76 FEET TO THE SOUTH 1/4 SECTION CORNER OF SAID SECTION 1; THENCE S89°55'42"W 49.93 FEET TO THE POINT OF BEGINNING.

## **Exhibit B**

### **Conditions of Approval for R2009-0016**

1. Plan must be relabeled as a conceptual plan;
2. Replace reference to Manatee County with reference to Sumter County in General Note #25 on the plan cover sheet;
3. Provide scale of general location map at no less than 1" = 2,640';
4. Show the surrounding future land uses and zonings for the abutting properties on the location map or site plan;
5. The project shall be developed consistent with the application, plans, narratives, and documents, as may be amended by the conditions of approval, submitted by the applicant for R2009-0016;
6. Access to project shall be limited to the three access points on SR 44 and CR 219, as shown on the site plan. The northernmost access point on CR 219 shall prohibit truck access;
7. Site access turn lanes for project access connections to SR 44, including the connection of CR 219 to SR 44, shall be installed by the applicant as required by the Florida Department of Transportation access permit;
8. Site access turn lanes from CR 219 to the project shall be installed by the applicant as required by Sumter County Public Works;
9. Traffic signals shall be installed by the applicant as warranted and permitted by the Florida Department of Transportation at project access points to SR 44 or the connection of CR 219 to SR 44;
10. The first on-site driveway median opening at the southern most access point to SR 44 shall be closed;
11. The final engineering plans for the project shall include on-site pedestrian connections between buildings and parking areas;
12. Access points on CR 219 must have a 50' radius return;
13. Prior to the submittal by of a site plan for the first development phase or building within the subject property, the applicant shall undertake or commission a traffic analysis, to be prepared by a reputable and licensed traffic engineer for such traffic studies, whose report shall analyze and describe the offsite roadway impacts to be expected from the entire project's planned uses and vehicle trips (and not merely the traffic impacts of that first



development phase). The traffic study shall be prepared consistent with the County's traffic study methodology and will be reviewed and approved by the County. If the traffic study indicates the need for mitigation to roadways impacted by the project to either maintain adopted level of service standards or to bring existing roadways to an acceptable standard to accommodate the increased traffic demand of the project, then the applicant shall be responsible to either make the required improvements or to fund their proportionate share of the cost of the required improvements consistent with the County's Proportionate Share ordinance (Ordinance 2006-36; Sections 20-101 through 20-1111, Sumter County Code of Ordinances);

14. Prior to the submittal by of a site plan for the first development phase or building within the subject property, a pavement evaluation (structural and lane width) performed by a Florida Professional Engineer shall be provided by the applicant for CR 219 from the northern access point to SR 44. This evaluation shall include the full buildout traffic impact of the project. The applicant shall be required to make the improvements necessary to bring CR 219 up to the sufficient standard to accommodate the projects traffic impacts. Notwithstanding the findings of the pavement evaluation, the applicant shall provide at least 24' of pavement on CR 219, where 24' of pavement does not currently exist, and dedicate 35' of right-of-way to the county along CR 219 where required by Sumter County Public Works;
15. Buffering and screening of the project shall be consistent with the buffering and screening shown on the site plan approved as part of this rezoning;
16. Prior to submittal of an engineering site plan for review by the County, the applicant shall enter into a Local Government Development Agreement, pursuant to Chapter 163, Florida Statutes, with the County. The Development Agreement will, at a minimum, delineate the approved uses for the project, provide for additional requirements for traffic impact analysis of the project, provide for guarantee of provision and maintenance of required infrastructure to serve the project; and provide additional detail regarding the buffering and screening for the project;
17. Within 30 days of approval of the IP zoning, a revised site plan must be submitted to the County reflecting the conditions of approval;
18. Failure to comply with the conditions of approval of R2009-0016 may result in the suspension or revocation of this approval consistent with the provision of the Sumter County Land Development Code; and
19. The terms and conditions set forth herein shall inure to the benefit of the applicant as the owner of the subject property, and to any successor in title to the applicant as to the subject property or any portion thereof, and shall additionally constitute a covenant running with title to the subject property or any portion thereof, and shall be legally binding upon any heirs, assigns and successors in title or interest to the applicant as the owner of the subject property or any portion thereof.

**Additional Conditions Recommended by Zoning & Adjustment Board**

20. Sexually oriented businesses are prohibited; and
21. Permitted Uses within the Industrial (ID) and Commercial (CL, CH, CR) are allowed by right. Special Uses and Conditional Uses within the Industrial (ID) and Commercial (CL, CH, CR) zoning districts shall only be allowed through the appropriate public hearing process.

## Exhibit C

**Cornelius, Brad**

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**From:** Connor Chambers [chambers.connor@verizon.net]  
**Sent:** Friday, September 11, 2009 3:03 PM  
**To:** Cornelius, Brad  
**Cc:** RobertBomo@aol.com  
**Subject:** LEE CAPITAL REZONING APPLICATION - OUR NEIGHBORS

Brad – As you requested, here is a list of only some of the discussions we have had with our neighbors, to review the conceptual plan our professional consultants have developed for the Lee family's proposed Lee Capital rezoning, particularly to review the proposed perimeter buffers along our common boundaries on the north and east sides of the Lee property:

- (1) Back in late March [specifically to obtain their input before we started to draw up our concept plan], I met on a Sunday afternoon for more than an hour with Mrs. Hayward and both her sons, there in the yard next to Chad's and Amy's residence, where all of us could physically see and discuss our common property boundary, and the proximity of Chad's home close to the Lee property, as well as the line of existing mature trees (mostly oaks) along our common property line there. The list of concerns that all the Hayward family were kind enough to review with me that Sunday have been important criteria in the subsequent development of our site plan and its northern buffer components.
- (2) On April 1, Joseph Foster allowed Carlos Beruff and myself to visit him there in his residence along County Road 219, following the ceremony in Royal to open the newly renovated Library building there. Mr. Foster also arranged for his Mother to be present at our meeting. She also owns a home just down the street from her son's, there along the east side of C. R. 219. Again, we wanted to obtain input from the Foster family for the buffer and landscaping along our east side, across the street from both Foster residences, back when we were starting to draw up our project plan details. You may recall that the Fosters came to several of the project's earlier public hearings, and we want our planning efforts to respect their interests and to take them into account in designing the east side of our planned development.
- (3) Several months later, early in July, and now with our site plan details taking shape, our Planner Bo Medred and I met with Larry and Claire McClure, who also live on the east side of CR 219, to the south of the Fosters. Sherilyn Lee suggested this meeting, since the McClures had heard various reports about our plans at second or third hand, and we wanted them to see first hand the plan layout and proposed buffers and landscaping that Bo's office and our project engineer, John Cavoli, had designed there on the west side of CR 219 across the street from the McClure residence.
- (4) Also in early July, Bo Medred and I met with Mr. Foster again, now to show him our proposed general plan layout along with the details of the Type "A" landscape buffer we propose across the road from both his residence and his Mother's home.
- (5) This past Wednesday, Mrs. Hayward again was able to give me more than half an hour, and reviewed with me her continuing concerns for our project, particularly where our development is opposite her son Chad's home. She explained that she has seen our concept plan there in your office files, and she reviewed with me some continuing concerns she has including the proximity of our closest planned building, the possibility of dangerous or explosive materials within our development, a list of the possible uses for our project, the importance of having good deed restrictions for our development to protect groundwater quality, and for the general appearance and upkeep of our development. [I might also mention that, back in February or March, our office had asked the FarnerBarley surveyors to stake our northern boundary line, primarily so that we could determine exactly where the line of existing mature oaks is, so that our site plan could be drawn up to maintain virtually all those trees. The FarnerBarley stakes, however, were slightly different than the line that the Hunt survey office had provided to Mr. Hayward earlier, on the basis of which he had located his fence. I talked with the

9/18/2009

FarnerBarley surveyors again this past week, and asked them to resolve with the Hunt office exactly where this common boundary line should be. It is our intention to respect Chad Hayward's fence, and not to disturb it in any way, whatever the surveyors tell us for the location of our common boundary. I believe the survey issue is only a question of 2 or 3 feet at most for this boundary alignment.]

- (6) I might also mention that Sherilyn Lee has been living temporarily in the Lee residence that is halfway between Chad Hayward's home and the Ondriezek residence to the east (while Sherilyn's own home along SR 44 undergoes some renovations). Sherilyn often discusses our plan with many of her neighbors, not in formal meetings, but in passing conversations, for general information and as specific questions may arise.
- (7) I also want to acknowledge that some of our neighbors may not want to talk with us or discuss our project plan. You will recall that Richard and Laura Ondriezek came to the public hearing in late July; and Mr. Ondriezek spoke up in strong opposition to our project. And you will recall that, in the hall after the meeting, when I started to ask Mr. Ondriezek if he would allow me to review our planned buffers and landscaping with him, he said that he was opposed to our project generally, and he did not care to discuss details like the perimeter buffers. I respect his opinion, and I do not want to try to force any project explanations or descriptions, if a neighbor does not want to hear them.
- (8) At our far northwest corner, you will recall that Mr. and Mrs. Gasaway there were outspoken in their opposition to the Lee family plans. Let me simply point out that there is a very wide and deep natural buffer in our project's entire northeast corner, a wetland (with its formal jurisdictional determination earlier) so wide and deep and with tall mature trees that are to remain there undisturbed in their conservation easement – in other words, that natural buffer toward the Gasaways is completely effective in its natural state, and we could not improve it with any additional or supplemental trees, etc that we might propose. I hope the Gasaways recognize how fine and effective this natural buffer is and will remain.
- (9) We have not tried to contact several other neighbors, to ask for their comments. Mr. Roy Bastian, for example, owns property next door to the McClures. Mr. Bastian earlier submitted a letter in general support of the earlier Comprehensive Plan Amendment for the Lee property and project, and so we expect he will be satisfied with our plan. This past week we posted the total of more than 30 of the bright orange plaques on the fenceposts for our full 2 miles of frontage along State Road 44 and County Road 219. So if there should be other neighbors or passers-by who may have questions for the details of our project and plan, they are encouraged to participate in the public hearing process, and we would be very glad to review our plan details with them too.

Connor Chambers  
CJC MANAGEMENT SERVICES  
for LEE CAPITAL LIMITED PARTNERSHIP  
Phone: 941-951-8849  
FAX: 941-776-2229  
Email: chambers.connor@verizon.net



# SUMTER COUNTY ZONING AND ADJUSTMENT BOARD

Project No: R2009-0016

Application: 6/8/2009 SMC

910 N. Main Street, Suite 301, Bushnell, FL 33513  
Tel. (352) 793-0270 Fax (352) 793-0274

## REZONING

<b>PROJECT TYPE</b> REZONING		<b>PROJECT SUBTYPE</b> Planned C/I Major		<b>PROJECT DESCRIPTION</b> Rezone 239.83 acres MOL from A5, C2 & ID	
<b>OWNER</b> LEE, CAPITAL, LIMITED PARTNERSH		<b>ADDRESS</b> 1403 E SR 44, WILDWOOD, FL 34785		<b>PHONE</b> 352	
<b>AGENT/APPLICANT</b> CONNER CHAMBERS		<b>ADDRESS</b>		<b>PHONE</b> (941) 951-8849	
<b>PARCEL #</b> F02=019	<b>SEC/TWP/RNG</b> 21922	<b>GENERAL</b>		<b>DIRECTIONS TO PROPERTY</b> N ON US 301. W ON SR 44. THE PROPERTY IS LOCATED ON THE NW COR OF SR 44 & CR 219.	
<b>Property Address</b> 1755 E SR 44, Wildwood, FL 34785					
<b>PARCEL SIZE</b> 239.83 ACRES MOL		<b>F.L.U.</b> IND		<b>LEGAL DESCRIPTION</b> SE1/4 OF SE1/4 N & E OF HWY 44 & THAT PART OF SW1/4 OF SE1/4 N & E OF HWY 44	
<b>PRESENT ZONING</b> ID, A5, C2		<b>PRESENT USE</b> VACANT		<p>F01=060 S1/2 OF SW1/4 LESS BEG 12 FT S OF NE COR RUN W 210 FT S 684 FT E 210 FT N 684 FT TO POB LE SS E 1/2 OF NW 1/4 OF SE 1/4 O F SW 1/4</p> <p>F11=001 NE1/4 OF NE1/4 N OF RD 44 LESS BEG 289.04 FT S OF NE COR OF SEC 11 S 37 DEG 56 MIN 40 SEC E 164.64 FT S 52 DEG 03 MIN 20 SEC W 129.51 FT S 52 DEG 03 MIN 20 SEC W 80.49 FT TO NE/LY R/W OF ST RD 44 N 37 DEG 56 MIN 40 SEC W ALONG R/W 220 FT N 52 DEG 03 MIN 20 SEC E 210 FT S 37 DEG 56 MIN 40 SEC E 55.36 FT TO POB LYING IN SEC 11 &amp; 12</p> <p>F12=035 BEG AT NW COR RUN S 634.83 FT TO N R/W OF ST RD 44 THENCE S ALONG N R/W TO INTER OF GRADED ROAD THENCE N ALONG W R/W OF SAID GRADED ROAD TO N LINE OF SEC THENCE W TO POB LESS W 1050FT OF N 150FT</p> <p>F12=036 W 1050FT OF N 150FT OF NW1/4 O F NW1/4</p>	
<b>REQUESTED REZONING</b> REZONE 239.83 ACRES MOL FROM ID, A5 & C2 TO IP & INCLUDE TEXT AMENDMENT		<b>REZONED ACREAGE</b> 239.83 ACRES MOL		<b>REZONED LEGAL DESCRIPTION</b> SAME AS ABOVE	
<b>ABUTTING PROPERTY</b>  <b>ZONING/USE</b> <b>F.L.U.</b>	<b>NORTH</b>  A5, A1, RR/ RES & AG	<b>EAST</b>  A1, A5, ID/RES, MH, ID AG, ID	<b>SOUTH</b>  C2, A5 AG	<b>WEST</b>  A5/VACANT IND	
<p>As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road frontage at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, and my payment of the non-refundable application fee will not influence the decision made on this application.</p>					

UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*John Cavoli*

Signature(s)

June 8, 2009

Date

A Public Hearing before the Zoning and Adjustment Board will be held on the date indicated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.

Development Review Committee	7/6/2009 2:00 PM	Room: 142	Recommendation: _____
Zoning and Adjustment Board	7/20/2009 6:30 PM	Room: 142	Action: _____
County Commission Meeting	7/28/2009 5:30 PM	Room: 142	Action: _____

NOTICES SENT

RECEIVED IN FAVOR

RECEIVED OBJECTING

Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.

*JOHN CAVOLI OF CAVOLI ENGINEERING INC  
PERSONALLY KNOWN SIGNED ABOVE*

*[Signature]* 6-8-09



## AUTHORIZATION

### APPLICATION REQUEST: (check one)

☒ Rezoning      ☐ Variance      ☐ Conditional Use  
☐ Comprehensive Plan Amendment      ☐ Temporary Use  
Other (specify): \_\_\_\_\_

### LEGAL DESCRIPTION OF PROPERTY:

Sections 1, 2, 11 Township 19 Range 22 Alternate Key # F01=060, F02=019, F11=001,  
F12=035, F12=036

Lot/Parcel \_\_\_\_\_ Block \_\_\_\_\_

Subdivision \_\_\_\_\_

All Owners of Record must sign this authorization:

I, SHERILYN LEE, for Lee Capital Limited Partnership, owner(s)  
(Name of Owner(s)) Robert "Bo" Medred and  
of the above described property, authorize John Cavoli, PE of  
(Name of Representative(s))  
Cavoli Engineering, Inc. to serve as agent on my behalf for the purpose of making  
(Name of Business)  
application for the proposed request. No further authorization is expressed or implied, than that  
which is described herein.

SIGNATURE: \_\_\_\_\_

(Signature of Owner(s)) SHERILYN LEE, President of Lee Corporation,  
General Partner of Lee Capital Limited Partnership

STATE OF FLORIDA  
COUNTY OF SUMTER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and  
County aforesaid to take acknowledgements, personally appeared  
SHERILYN LEE, who is personally known to me or provided  
Florida D/L as identification and who did not  
take an oath.

WITNESS my hand and official seal this 4 day of June, 2009.

Robert J. Iddings  
Printed Name

Robert J. Iddings  
Notary Public - State of Florida



ROBERT J. IDDINGS  
Notary Public, State of Florida  
My Commission Expires: October 23, 2009  
Commission Number: DD466020

REZONE APPLICATION AND  
TEXT AMENDMENT  
FOR  
LEE CAPITAL LP

SUMTER COMMERCIAL AND INDUSTRIAL PARK

JUNE 3, 2009



# Genesis Planning and Development, Inc.

5972 River Forest Circle  
Bradenton, Florida 34203  
(941) 374-5844  
Robertbomo@aol.com

June 3, 2009

Mr. Brad Cornelius, AICP  
Planning Manager  
Sumter County Planning and Development  
910 No. Main Street – Suite 301.  
Bushnell, FL 33513

**RE: Rezone Application and Sumter Code Text Amendment for Lee Capital LP  
Sumter Commercial/Industrial Park**

Dear Brad:

On behalf of our client, Lee Capital Limited Partnership, please accept this application for rezoning. The 239.83 acre subject parcel is located along SR 44 and west of CR 219. This request is to rezone the property from A-5 and ID to IP (Planned Industrial) district. The request to rezone the property to IP is consistent with the Comprehensive Plan as this property has a FLUM designation of Industrial and is the subject of Policy 7.1.2.18.

Per discussions by the applicant with Sumter County staff and consistent with Policy 7.1.2.18 of the Sumter County Comprehensive Plan, the applicant is proposing the following text amendment to the Sumter Code to allow Commercial and Office Uses in the IP (Planned Industrial) district. The amended language should read as follows:

**Text Amendment added to Page 159 of the Sumter Code.**

**b.2. IP (Planned Industrial) district.**

**In the IP planned industrial district, any industrial, commercial or office land use is permitted; however...**

Included with this application is the rezone application fee in the amount of \$1650.00, a site plan prepared by Cavoli Engineering, Inc., a legal description for the subject property, and other material in support of this application.

Mr. Brad Cornelius

June 3, 2009

Page 2

Should you have any questions or require additional information please do not hesitate to contact me. We look forward to working with you on this project.

Sincerely,

**GENESIS PLANNING AND DEVELOPMENT INC.**

A handwritten signature in cursive script, appearing to read "Bo Medred".

Bo Medred  
President

xc: Lee Capital LP  
Connor Chambers  
Cavoli Engineering, Inc.

## AUTHORIZATION

## APPLICATION REQUEST: (check one)

XX Rezoning          Variance          Conditional Use  
         Comprehensive Plan Amendment          Temporary Use  
 Other (specify):                                 

## LEGAL DESCRIPTION OF PROPERTY:

Sections 1, 2, 11 Township 19 Range 22 Alternate Key # F01=060, F02=019, F11=001,  
& 12 F12=035, F12=036

Lot/Parcel          Block         

Subdivision         

All Owners of Record must sign this authorization:

I, SHERILYN LEE, for Lee Capital Limited Partnership, owner(s)  
 (Name of Owner(s)) Robert "Bo" Medred and  
 of the above described property, authorize John Cavoli, PE of  
 (Name of Representative(s))

Cavoli Engineering, Inc. to serve as agent on my behalf for the purpose of making  
 (Name of Business)  
 application for the proposed request. No further authorization is expressed or implied, than that  
 which is described herein.

SIGNATURE: *Sherilyn Lee*

(Signature of Owner(s)) SHERILYN LEE, President of Lee Corporation,  
General Partner of Lee Capital Limited Partnership

STATE OF FLORIDA  
 COUNTY OF SUMTER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and  
 County aforesaid to take acknowledgements, personally appeared

SHERILYN LEE, who is personally known to me or provided  
Florida D/L as identification and who did not

take an oath.

WITNESS my hand and official seal this 4 day of June, 2009.

Robert J. Iddings Seal

Printed Name

Robert J. Iddings  
 Notary Public - State of Florida



ROBERT J. IDDINGS  
 Notary Public, State of Florida  
 My Commission Expires: October 23, 2009  
 Commission Number: DD465020

**Sumter Commercial/Industrial Park Narrative  
Lee Capital LP  
June 3, 2009**

**OBJECTIVE:**

This request is to rezone the 239.83 acre subject parcel owned by Lee Capital LP located along SR 44 and west of CR 219 from A-5 and ID to IP (Planned Industrial) to allow 2,333,500 square feet of industrial uses and 300,000 square feet of commercial/office uses in a Planned Unit Development.

**SITE DATA:**

Parcel Size: 239.83 acres in size

Existing Zoning: A-5 (Agricultural) and ID (Industrial)

Proposed Zoning: IP (Planned Industrial)

Parcels: The subject property is contained within Parcels F01=060, F02=019, F11=001, F12=035 & F12=036 in Sections 1,2,11,& 12, Township 19 South, Range 22 East in Sumter County, Florida.

**COMPREHENSIVE PLAN CONSIDERATIONS:**

The Subject property was the subject of a recent Comprehensive Plan Amendment. The site was re-designated on the Sumter County Comprehensive Plan for Industrial and Commercial development subject to new Policy 7.1.2.18. of the Future Land Use Plan.

New Policy 7.1.2.18 states in part:

The proposed development shall not exceed the DRI threshold as defined in Chapter 28-24, Florida Administrative Code and therefore will not require review. The Lee Capital Limited Partnership (LCLP) Industrial Park shall adhere to the following standards:

- a. The LCLP project is an Industrial Park that includes a functional intergration of industrial, warehousing, manufacturing and supporting commercial and office uses. The project shall utilize CR 219 and SR 44 as access points and shall provide the necessary screening and buffering to ensure compatibility between adjacent land uses.
- b. The maximum industrial square footage with the amendment area shall not exceed 2,500,000 square feet of industrial uses. The maximum amount of commercial and support uses shall not exceed 300,000 square feet but must be limited as such so that the LCLP Industrial project as a whole does not exceed the DRI threshold described below in Section (c).

- c. The proposed development shall not exceed the DRI threshold as defined in Chapter 28-24, Florida Administrative Code and therefore will not require review under Chapter 380, Florida Statutes. The development shall proceed as a planned development at which time the location of the uses listed in section (a) shall be determined.
- d. Impacts to environmental systems shall be avoided wherever feasible. Any impacts to the environmental systems shall be properly mitigated for as required by Sumter County and the Southwest Florida Water Management District. All mitigation shall be onsite.

**Consistency with Policy 7.1.2.18 of the Future Land Use Chapter.**

The Applicant is proposing the IP (Planned Industrial) to allow 2,333,500 square feet of Industrial uses with 300,000 square feet of Commercial and Office uses.

Upon review of the accompanying site plan submitted with the rezone application to IP, it is apparent that all of the proposed project's vehicular accesses are from SR 44 and CR 219 only, which is a requirement within Policy 7.1.2.18.

The project is proposing generous perimeter buffers, particularly along the north property line to effectively buffer any potential perceived incompatibilities between the proposed project and adjacent uses. The site plan depicts on plan view the various buffers around the perimeter of the site as required by the Policy.

The requested amount of industrial and commercial/office square footage is consistent with Policy 7.1.2.18 since the amounts do not exceed the DRI thresholds established in Chapter 380 of the Florida Statutes for Industrial and Commercial/Office Mixed Use developments.

The proposed project is being developed as an Industrial Planned Unit Development consistent with Policy 7.1.2.18. A general list of potential uses are contained within a following section of this Narrative.

The only significant Environmental wetland system onsite, the 21 +/- acre wetland found in the northwest corner of the site, will be preserved in its entirety. This wetland will also provide an excellent buffer to adjacent uses to the north of the project consistent with the requirements of Policy 7.1.2.18.

**Other relevant Comprehensive Plan considerations.**

The subject parcel lies within the Urban Development Area of the Sumter County Future Land Use Map. The need for additional industrial land in Sumter County is apparent.

The previous submittal for the Comprehensive Plan Amendment highlighted the fact that industrial uses account for only 1% of the County's Land Cover.

The subject parcel is appropriate for industrial and commercial/office uses for the following reasons:

1. The current urban land use designation allows for these uses on the property.
2. Existing infrastructure and facilities are sufficient and in place to meet the needs of this development.
3. This site is a very attractive location with respect to accessibility of regional transportation facilities since it is in close proximity to the confluence of SR 44, US 301, I-75 and the Florida Turnpike.
4. The project is consistent with the results of the 2008 Visioning Sessions.
5. The proposed land uses are compatible with adjacent land uses.

The need for additional industrial lands within Sumter County was recognized during the County's "Sumter 2030" Visioning Sessions. The results of surveys taken during the Session showed both the want and need for economic development and job creation. 68% of those surveyed said that Manufacturing and Distribution was one of the major economic bases that Sumter County needs and should be encouraged. Jobs are created for Sumter County when employment opportunities are provided as a result of logical land use decisions which encourage the development of industries that provide job opportunities.

The proposed project will add to the industrial and commercial sector base and while simultaneously created job opportunities specifically targeted for Sumter County.

From a practical standpoint, the development of industrial and commercial uses within Sumter County will allow working residents to be employed closer to home rather than the need to find work opportunities in adjacent counties. The result of new industrial development within Sumter County allows for shorter commute times to and from work for local residents while adding revenues to the County's tax rolls. It also provides less strain on regional roadway networks as a result of shorter commutes for Sumter County and its residents.

#### **UTILITIES:**

The subject parcel is located within the City of Wildwood service boundary and utility master plan. The City of Wildwood has previously provided documentation in an April 9, 2008 letter to the applicant that the city intends to provide water and wastewater to the site (see attached copy in Exhibit B).

There is a 12 inch water line along SR 44 and an 8 inch water line along the southern portion of CR 219. Connection to these two City owned water lines will be made to provide potable water to the project.

There are two existing sewer lift stations which will serve the site. One of the existing lift stations is located on the northwest corner of SR 44 and CR 219 and the other is further west on SR 44. Connection to these lift stations will provide central sewer service to the site.

Future site and construction plans will determine the flows to be generated by the project and the locations of points of connection, underground water and sewer lines, lift stations, and hydrants within the development.

**HABITAT:**

The majority of the site consists of improved pasture used for the grazing of livestock. A previous Environmental study prepared by Steinbaum and Associates dated May 29, 2008 was submitted with the Comprehensive Plan Amendment application (see attached Exhibit C). The applicant is proposing to preserve a 21.47 acre +/- SWFWMD jurisdictional wetland in the northwest corner of the site. Appropriate wetland buffers around this 21.47 acre wetland have been shown on the accompanying site plan. Two smaller isolated low quality Category 5 wetlands which are less than .25 acre in size each, are shown to be eliminated. The applicant will not be required to mitigate these two .25 acre wetlands by the District since they are smaller than .25 of an acre which is the minimum size wetland requiring mitigation.

There are no listed protected species found on the site.

**HISTORICAL RESOURCES:**

According to the Florida Master Site File, there are no previously recorded archeological site nor any standing structures of historical significance on the subject property (See Florida Master Site File letter in Exhibit D)

**TRANSPORTATION:**

The applicant previously submitted a Transportation Impact Analysis prepared by Kimley Horn and Associates, Inc. dated June, 2008 with the Comprehensive Plan Amendment which re-designated the subject parcel for Industrial and Commercial uses.

Access to the site is proposed to be limited to SR 44 and CR 219. Three access points are proposed on the 5500 linear feet of SR 44 frontage. Two of these SR 44 access points will be at existing full median openings currently found on SR 44. Access to CR 219 will

be limited to three access points. The northern access will be limited to car traffic only, while southerly two accesses on CR 219 will permit truck access into the industrial park. These access points may be gated in the future to enhance privacy and security of the industrial park.

**PERIMETER BUFFERS:**

During the Comprehensive Plan Amendment process for the subject parcel, there was concern expressed by the neighbors to the north and east about the buffering between their properties and the proposed industrial uses.

North property line: The applicant has designed the project to provide significant open space buffers along the north property line through the use of increased building setbacks, the preservation of existing property line tree canopy and vegetation, and wide stormwater areas which provides screening and distance between the proposed uses and adjacent properties.

Field survey showed that an existing tree line consisting of mature oaks and pines exists along the northern fence line which delineates the north property line. The applicant is proposing to preserve this 50 foot wide existing tree canopy line in order to preserve the natural visual barrier that exists. In addition, the applicant is proposing to preserve a large cluster of mature oaks by narrowing down the middle of proposed Stormwater Retention Area No. 1 to enhance the buffering along the north property line. Stormwater Retention Area No. 1's top of bank has been setback 100 feet from the north property line. Along with the 50 foot wide tree line buffer, the applicant will be using the next 50 feet to construct a berm with landscaping to ensure that a Type A buffer is established between the proposed top of bank of Stormwater Retention Area No. 1 and the north property line.

The building closest to the north property line has been set back a distance of 350 feet from the north property line. In addition, the north side of the building will be designed as the front elevation so the building's loading docks will be restricted to the south side of the building and away from the adjacent properties to the north.

East property line:

The frontage along CR 219 will be buffered by a combination of Type A and Type C buffers depending upon the location of adjacent uses. Type A buffers will be installed with a 50 foot wide buffer from the northernmost access south to the middle access point. The majority of this Type A buffer will be bounded by Stormwater Retention Area No. 3. The 50 foot wide buffer will allow the use of existing trees and allow supplemental plantings to ensure that adjacent properties on the east side of CR 219 are screened properly.



A Type C buffer is planned from the middle access point on CR 219 south to SR 44.

South property line:

The applicant is proposing a Type C buffer along the SR 44 frontage and the commercial/office uses. This buffer will be planted at the time each commercial/office building or phase is developed.

**LAND USES:**

Industrial uses:

The applicant is proposing to provide land for up to 2,333,500 square feet of including but not limited to manufacturing, fabrication, processing, assembly, treating, servicing and repairing, salvaging and recycling, storage and warehousing, wholesaling and distribution users on the subject parcel. The proposed uses will be consistent with the uses allowed by the Sumter Code within the ID (Industrial) zoning district matrix. The Applicant is stipulating to prohibit any allowable Adult Entertainment or Sexually Oriented businesses with the project.

Interior travelways and building facades, loading areas, etc. will be designed for practical efficiency for loading and travel. These interior areas will be oriented away from project frontages and from views from neighbors and passers-by.

The buildings on the site plan have been designed in such a manner that the front of the buildings will be for access and parking by staff, vendors and patrons coming to the various businesses. Staff and visitor parking will be located in the fronts of the buildings within the ample parking areas shown on the plan. The loading dock areas have been paired with loading areas of adjacent buildings to allow for significant separation from the adjacent building to maximize truck maneuverability. This design will ensure that all car parking and traffic will be limited to the front of the buildings allowing truck traffic and parking to be contained within designed loading areas.

Commercial/Office uses:

The applicant has proposed up to 300,000 square feet of commercial/office uses on the frontage of SR 44. These commercial/office uses will help support the adjacent proposed industrial uses by providing essential services for the workers and those visiting the development.

**SUMTER COMMERCIAL/INDUSTRIAL PARK**  
Rezone Application

**TABLE OF CONTENTS**

Exhibit A	Legal Description
Exhibit B	Utility Letter
Exhibit C	Environmental Narrative
Exhibit D	Historical and Archeological
Exhibit E	Proposed Text Amendment to Sumter Code IP District

EXHIBIT "A"

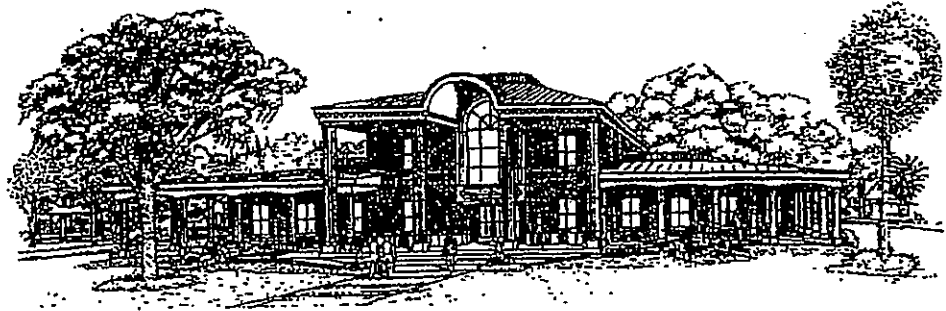
LEGAL DESCRIPTION:

THOSE PORTIONS OF SECTION 1, 2, 11 AND 12, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 12; THENCE N89°55'42"E ALONG THE NORTH LINE OF SAID SECTION 12 FOR 2633.15 FEET TO EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 63, PAGE 115, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE ALONG SAID EAST LINE THE FOLLOWING FOUR COURSES, S00°05'49"W FOR 1680.06 FEET; THENCE S35°54'32"E FOR 606.15 FEET; THENCE S11°54'33"E FOR 245.60 FEET; THENCE S05°35'25"W FOR 922.74 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 44 AS DESCRIBED IN OFFICIAL RECORDS BOOK 581, PAGE 488, OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA (SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 5589.58 FEET); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SEVEN COURSES: RUN NORTHWESTERLY FROM A RADIAL LINE WHICH BEARS S25°32'58"W, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°17'14" FOR A DISTANCE OF 418.25 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 6505.44 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°50'30" FOR A DISTANCE OF 1117.44 FEET; THENCE N39°40'42"E ALONG A RADIAL LINE FOR 150.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 6355.44 FEET THROUGH A CENTRAL ANGLE OF 04°14'50" FOR 471.10 FEET; THENCE S43°55'31"W ALONG A RADIAL LINE FOR 150.00 FEET; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE: RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 6505.44 FEET THROUGH A CENTRAL ANGLE OF 08°27'25" FOR A DISTANCE OF 960.20 FEET TO THE POINT OF TANGENCY; THENCE N37°37'01"W FOR 1167.52 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 166, PAGE 154 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY, EASTERLY AND NORTHERLY LINE OF SAID PARCEL THE FOLLOWING THREE COURSES: N52°27'31"E FOR 189.34 FEET; THENCE N37°32'29"W FOR 219.96 FEET; THENCE S52°27'31"W FOR 189.63 FEET TO THE AFORESAID NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 44; THENCE N37°37'01"W ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE FOR 451.69 FEET TO THE SOUTHERLY LINE OF SOUTHEAST 1/4 OF SECTION 2; THENCE S89°38'02"W ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND SOUTHERLY LINE OF SAID SECTION 2 FOR 6.28 FEET; THENCE N37°37'01"W ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE FOR 1660.50 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 2; THENCE DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE N89°49'21"E ALONG SAID NORTH LINE FOR 1479.97 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 1, THENCE N89°49'43"E ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1 FOR 1680.74 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SOUTHWEST 1/4 OF SECTION 1; THENCE S00°03'19"W ALONG SAID WEST LINE FOR 659.91 FEET TO THE SOUTH LINE OF SAID EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 1; THENCE N89°52'42"E ALONG SAID SOUTH LINE FOR 335.77 FEET TO THE EAST LINE OF SAID EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 1; THENCE N00°05'08"E ALONG SAID EAST LINE FOR 660.20 FEET TO THE AFORESAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1; THENCE N89°49'43"E ALONG SAID NORTH LINE FOR 672.49 FEET TO THE NORTHEAST CORNER OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1; THENCE S00°10'00"W ALONG THE EAST LINE OF SAID SOUTH 1/2 FOR 12.00 FEET TO THE NORTH LINE OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 141, PAGE 102 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY, WESTERLY AND SOUTHERLY LINES OF SAID PARCEL THE FOLLOWING COURSES: S89°49'43"W FOR 210.00 FEET; THENCE S00°10'00"W FOR 672.01 FEET; THENCE N89°46'34"E FOR 210.00 FEET TO THE AFORESAID EAST LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1; THENCE S00°10'00"W ALONG SAID EAST LINE FOR 637.76 FEET TO THE SOUTH 1/4 SECTION CORNER OF SAID SECTION 1; THENCE S89°55'42"W 49.93 FEET TO THE POINT OF BEGINNING.

Exhibit B

City of  
Wildwood,  
Florida



Area Code: 352  
SUNCOM Prefix: 668  
ZIP Code: 34785

**CITY HALL**  
100 N. Main Street  
330-1330 Phone  
330-1338 Fax

**ADMINISTRATION**

**CITY MANAGER**  
Extension 109

**CITY CLERK/FINANCE**  
Extension 100

**PERSONNEL**  
Extension 103

**PLANNING/BUILDING/  
ZONING**  
Extension 131

**CUSTOMER SERVICE**  
(Utility Accounts)  
Extension 130

**TDD**  
Extension 130

**LIBRARY**  
310 Palmer Drive  
746-1158

**POLICE**  
100 E. Huay Street  
330-1355  
330-1358 Fax

**ANIMAL CONTROL  
WOOD WASTE**  
601 W. Gulf-Atlantic Hwy.  
330-1345

**REFUSE / STREETS**  
410 Grey Street  
330-1343  
330-1344 Fax

**WASTEWATER**  
1290 Industrial Drive  
330-1349  
330-1350 Fax

**WATER**  
801 E. Huay Street  
330-1346  
330-1347 Fax

April 9, 2008

Jason McHugh  
Planner  
LPG  
1162 Camp Ave.  
Mount Dora, FL 32757

RE: Lee Capital Limited Partnership (1235/4)

Dear Mr. McHugh,

We have received your inquiry relative to the extension of city water and wastewater services to your property. The above mentioned property is located within the City of Wildwood's service boundary and utility master plan. Therefore, the city does intend on providing water and wastewater to the site.

Currently, water and wastewater lines run along SR 44 to the west of the city limits. As for capacity, the City has expanded our wastewater treatment plant to treat up to 3.5 MGD. Current flow in the plant is at 1.5 MGD. As for water, the city recently received a new Water Use Permit allowing us 4.98 MGD. Our current flow is at 2.01 MDG.

Prior to any commitments, the property owner is required to enter into a developer's agreement with the city. Said agreement would specify costs, timetables for delivery and pre-annexation (agreement) for voluntary annexation if and when the city limits gets extended to the property and said annexation is legally possible.

In this agreement, the property owner shall provide the city with reasonable estimates of flow. These estimates will be used to calculate both the water and wastewater Transmission Infrastructure Extension Fees (TIE) and connections fees. Actual connection fees would be those in effect at the time of execution of a Developer's Agreement. This cost provides residential fire flows of +/- 750 gallons per minute. If more gallons per minute are needed, a surcharge would be implemented.

The extension (TIE) fees are due with the execution of the Developer's Agreement and fifty (50) percent of the connection fees are due at that time. The next twenty-five (25) percent is due as each building permit is pulled, with the final twenty-five (25) percent due upon the issuance of the individual Certificate of Occupancy.

Sincerely,

James R. Stevens  
City Manager  
City of Wildwood

Exhibit C



## STEINBAUM AND ASSOCIATES, INC.

ENVIRONMENTAL CONSULTANTS

May 29, 2008

Mr. Brad Cornelius, Planning Manager  
Sumter County Planning & Development Department  
910 North Main Street, Suite 301  
Bushnell, Florida 33513

RE: ECOLOGICAL NARRATIVE FOR PROPOSED COMPREHENSIVE PLAN AMENDMENT  
±284.04 ACRE LEE CAPITAL LIMITED PARTNERSHIP PROPERTY  
Bordering N.E. and S.W Sides of S.R. 44, E. of I-75, W. of CR 219, Sumter County, FL

Dear Mr. Cornelius:

As requested by the applicant, the subject ecological narrative is provided pursuant to the proposed Comprehensive Plan Amendment for the above referenced ±284.04 acre site. Please see additional information prepared by LPG Urban and Regional Planners, Inc. (contained in the LPG Urban and Regional Planners, Inc. submittal package).

### 1.0 ON-SITE VEGETATION ASSOCIATIONS AND LAND COVER

The subject ±284.04 acre site borders the northeasterly and southwesterly sides of S.R. 44. The larger (±239.83 acre) portion bordering northeasterly side of S.R. 44 will be referred to as "North Side" herein. The ±44.21 acre portion bordering the southwesterly side of S.R. 44 will be referred to herein as "South Side". Please see attached conceptual habitat map (dated May 29, 2008) based on the Florida Land Use Cover and Forms Classification System (FLUCFCS). Acreages have been determined/provided by Triangle Surveying, Inc.

#### **1.1 UPLANDS**

##### ***190 "OPEN LAND"/740 "DISTURBED LANDS"***

The majority of land in the North Side has been historically altered as evidenced by the extent of clearing, ditching, and un-natural topography, and is generally described (outside District verified wetlands) using combined FLUCFCS codes 190 "Open Land"/740 "Disturbed Lands". In more recent years and currently, the North Side has supported a cattle operation. Higher portions include unimproved travelways and are dominated by mixed cultivated pasture grasses and widely scattered live oak (*Quercus virginiana*). Wax myrtle (*Myrica cerifera*) dominated thickets are prevalent in the substantially disturbed eastern section. Also within the FLUCFCS code 190/740 matrix are intermittent historically altered stands of ruderal vegetation along S.R. 44 dominated by salt bush (*Baccharis spp.*), invasive vine thickets (e.g. *Rubus spp.*), other weedy invasives, young live oak, young slash pine (*Pinus elliotii*), and saw palmetto (*Serenoa repens*), as well as an altered stand of young pine (historically cleared of native understory vegetation) bordering Wetland "C".

P.O. Box 15437  
Sarasota, Florida 34277  
Phone (941) 921-2707  
Fax (941) 921-2739

## **1.0 ON-SITE VEGETATION ASSOCIATIONS AND LAND COVER**

### **1.1 UPLANDS (CONTINUED)**

#### **438 "MIXED HARDWOODS"/740 "DISTURBED LANDS"**

The combined FLUCFCS code 438 "Mixed Hardwoods"/740 "Disturbed Lands" is used to describe upland vegetation associations bordering Wetland "F" on the North Side, and uplands (outside District verified wetlands) on the South Side. Generally, such uplands are estimated to have been cleared of native understory, or totally cleared and re-established as mixed associations that are not indicative of the unaltered condition. Dominant species include mixed oak, slash pine, saw palmetto, Brazilian pepper (*Schinus terebinthifolius*), wax myrtle, invasive vine thickets (*Rubus spp.*, *Vitis rotundifolia*, *Smilax spp.*), other invasives [elderberry (*Sambucus canadensis*), ragweed (*Ambrosia artemisiifolia*), cogongrass (*Imperata cylindrica*)], winged sumac (*Rhus copallina*), bracken fern (*Pteridium aquilinum*), and dog fennel (*Eupatorium spp.*).

### **1.2 SWFWMD/COUNTY JURISDICTIONAL WETLANDS & SURFACE WATERS**

A SWFWMD jurisdictional field review was conducted on May 17, 2007 by Environmental Scientist Kim Dymond pursuant to the District's formal wetland determination procedure (resulting in issuance of Final Agency Action Transmittal Letter for Formal Determination of SWFWMD Wetlands and Other Surface Waters dated August 29, 2007, Petition No. 42032665.000). The site has been District determined to contain seven wetlands (Wetlands "A" - "D", "F" - "H"), as well as upland cul surface waters only (limited to ditches).

#### **SWFWMD/COUNTY JURISDICTIONAL WETLANDS**

Estimated FLUCFCS codes and Sumter County wetland classification categories (per Chapter 3, Policy 3.1.4.1 of the Comprehensive Plan), as well as dominant vegetation associations are provided for the seven on-site SWFWMD/County jurisdictional wetlands. Note that the site is estimated to contain no wetlands considered Category I or II by Sumter County, and therefore any proposed wetland impacts would not be subject to review by Sumter County (Chapter 3, Policies 3.1.4.4 and 3.1.4.5 of the Comprehensive Plan).

#### **Wetland "A" (+2.26 acres)**

##### **643 "Wet Prairies" per FLUCFCS**

##### **Category IV Wetland per Sumter County Classification System**

Dominant hardwoods within outer zone include Florida elm (*Ulmus floridana*), sweet gum (*Liquidambar styraciflua*), and red maple (*Acer rubrum*). Subdominant outer zone hardwoods include sugarberry (*Celtis laevigata*) and trace amount of slash pine. Leaf litter is the dominant groundcover coverage within the outer zone. Outer zone groundcover occurring in subdominant proportions include dog fennel, maidencane (*Panicum hemitomon*), pepper vine (*Ampelopsis arborea*), and beakrush (*Rhynchospora spp.*). Dominant species within interior zone include arrowhead (*Sagittaria lancifolia*) and lizard's tail (*Saururus cernuus*), with trace amounts of maidencane, red maple, Florida elm, wax myrtle and Carolina willow (*Salix caroliniana*). The Wetland "A" core is comprised of Carolina willow and arrowhead.



## 1.0 ON-SITE VEGETATION ASSOCIATIONS AND LAND COVER

### 1.2 SWFWMD/COUNTY JURISDICTIONAL WETLANDS & SURFACE WATERS

#### *SWFWMD/COUNTY JURISDICTIONAL WETLANDS (CONTINUED)*

##### Wetland "B" (7.92 acres)

##### 610 "Wetland Hardwood Forests" per FLUCFCS

##### Category III Wetland per Sumter County Classification System

Wetland "B", which appears to extend off-site, has one zone dominated by Florida elm, red maple, sweet bay (*Adiantum virginianum*), and leaf litter understory. Subdominants include laurel oak (*Q. laurifolia*), slash pine, poison ivy (*Toxicodendron radicans*), carpet grass (*Axonopus affinis*), and salt bush.

##### Wetland "C" (+1.18 acres)

##### 617 "Mixed Wetland Hardwoods"/643 "Wet Prairies" per FLUCFCS

##### Category IV Wetland per Sumter County Classification System

Wetland "C", which appears to extend off-site, has two zones. Dominant species within the outer zone include sweet gum, Florida Elm, poison ivy, dog fennel, grape vine, and leaf litter. Dominant species within wetland core include scattered maple, elderberry, and maidencane, with para grass (*Panicum purpurascence*), buttonbush (*Cephalanthus occidentalis*), Carolina willow, primrose willow (*Ludwigia peruviana*), and dog fennel as subdominants.

##### Wetland "D" (+2.19 acres)

##### 617 "Mixed Wetland Hardwoods" per FLUCFCS

##### Category IV Wetland per Sumter County Classification System

Wetland "D" is comprised of three zones. Dominant species within outer zone are red maple, salt bush, yerba de tajo (*Eliptica prostrata*), and Florida elm. Subdominants within outer zone include slash pine, St. Johnswort (*Hypericum spp.*), and mixed fern (c.g. *Woodwardia spp.*, *Thelypteris spp.*). The inner zone is shrubby with wax myrtle, salt bush, and buttonbush as dominant, and maidencane, arrowhead, and scattered red maple as subdominant. Species within core include maidencane and arrowhead as dominant, and dog fennel, scattered maple, and buttonbush as subdominant. A ditch through Wetland "D" is dominated by alligator weed (*Alternanthera philoxeroides*).

##### Wetland "F" (+21.47 acres)

##### 610 "Wetland Hardwood Forests"/621 "Cypress"/641 "Freshwater Marshes"

##### Category III Wetland per Sumter County Classification System

Wetland "F", which appears to extend off-site, is comprised of three dominant component vegetation associations. Dominant species within the outer zone include water oak (*Q. nigra*) and sweet gum, with red maple and laurel oak as subdominant. The understory of outer zone is dominated by leaf litter coverage with chain fern and miscellaneous vines as subdominants.



## **1.0 ON-SITE VEGETATION ASSOCIATIONS AND LAND COVER**

### **1.2 SWFWMD/COUNTY JURISDICTIONAL WETLANDS & SURFACE WATERS**

#### ***SWFWMD/COUNTY JURISDICTIONAL WETLANDS***

##### **Wetland "F" (+21.47 acres) Continued**

Dominant interior zone species include chain fern, and maidencane, with subdominant species consisting of scattered sweet gum, blackgum tupelo (*Nyssa sylvatica*), red maple, slash pine, and sweet bay. Subdominant interior zone understory species include coinwort (*Centella asiatica*), blackberry (*Rubus spp.*) thickets, spikerush (*Eleocharis spp.*), red root (*Lachnanthes caroliniana*), and lizard's tail. The wetland core in south section exhibits buttonbush, maidencane, and alligator weed as dominant species, with soft rush (*Juncus effusus*), grapevine, and a trace amount of red maple as subdominants. The wetland core in the north section is dominated by cypress (*Taxodium distichum*).

##### **Wetland "G" (+0.22 acres)**

##### **643 "Wet Prairies" per FLUCFCS**

##### **Category V Wetland per Sumter County Classification System**

Wetland "G" is relatively low in quality and exhibits one zone. Dominant species include alligator weed and yerba de tajo, with bladdercot (*Sesbania spp.*), soft rush, dog fennel, trace amounts of matchhead (*Phyla nodiflora*) and wax myrtle as subdominants.

##### **Wetland "H" (+0.25 acres)**

##### **643 "Wet Prairie" per FLUCFCS**

##### **Category V per Sumter County Wetland Classification System**

Wetland "H" is rectangular shaped, highly altered, and has one zone. Dominant species include matchhead and torpedo grass (*Panicum repens*), with soft rush, marsh pennywort (*Hydrocotyle umbellata*), and dog fennel as subdominants.

#### ***SWFWMD/COUNTY JURISDICTIONAL SURFACE WATERS***

Several on-site ditch segments were District determined to be upland cut (non-wetland) surface waters. Such ditches are man-made and exhibit mostly exotic/nuisance species.

## **2.0 LISTED SPECIES**

A listed species survey was performed by Steinbaum & Associates, Inc. for the subject +284.04 acre project area based on current site conditions. This consisted on two listed species survey events (on April 15, 2008 for a portion of the project area and on May 8, 2008 for remainder of the project area). The methodology for conducting the listed species survey complies with the Standardized State-Listed Animal Survey Procedure for SWFWMD ERP Projects (FWCC, 1997). The survey entailed systematically walking transects and observing both understory and tree canopies (where applicable) for signs of listed species utilization. Pedestrian transects thru





## **2.0 LISTED SPECIES (CONTINUED)**

both the North and South Sides were generally oriented in an east-west direction and spaced ±100' apart, where possible, allowing an average 50' visual reach for each transect. Transects were not adhered to, where necessary, in order to walk thru central portions of relatively smaller Wetlands "A", "C", "D", "G", and "H". The perimeter of each on-site SWFWMD jurisdictional wetland, and, perimeter of the North and South Sides were additionally walked.


No listed species or signs of listed species were observed on-site by Steinbaum & Associates, Inc. staff during the April 15, 2008 and May 8, 2008 survey events, nor during the May 17, 2007 SWFWMD wetland jurisdictional field review.

Regarding bald eagles, information obtained via the eagle nest locator website, compiled and maintained by Wildlife Technologies Services in the Division of Wildlife for FFWCC, indicates no documented active eagle nests as of mid-April, 2007 within Sections 1, 2, 11, and 12, Township 19S, Range 22E (Sumter County, FL), wherein the site is located.

## **3.0 CLOSING**

The subject site has been significantly altered historically. It is estimated that no on-site SWFWMD/County jurisdictional wetlands would be considered Category I or II per Sumter County's wetland classification system. No listed species were observed during the April 15, 2008 and May 8, 2008 listed survey events conducted by Steinbaum & Associates, Inc. staff. Based on said wetland classifications and lack of observed listed species (as of May 8, 2008), any proposed wetland alterations should not be subject to Sumter County review per policies of the Comprehensive Plan. Note that Steinbaum & Associates, Inc. does not address/perform services relating to: engineering, land planning, surveying, groundwater contamination/hazardous waste/buried material sampling/evaluations/testing, archeological studies/evaluations. If you have any questions, please contact me.

Sincerely,



Michele L. Steinbaum  
President

Attachment

cc: Carlos Beruff (Sumter, LLC)

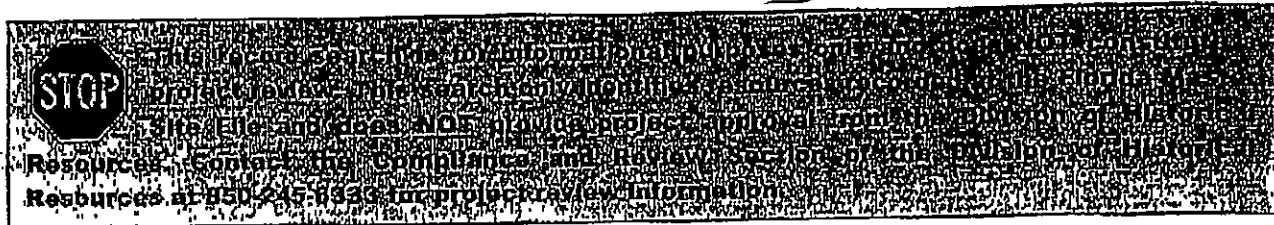
Jason F. McHugh (LPG Urban and Regional Planners, Inc.)

Connor Chambers (CJC Management Services)





Exhibit D



March 14, 2008



Sonali Patil  
LPG Urban & Regional Planners, Inc.  
1162 Camp Avenue  
Mt. Dora, FL 32757  
Fax: 352-383-4824

In response to your inquiry of March 12, 2008, the Florida Master Site File lists eight previously recorded archaeological sites, and no standing structures in the following parcels of Sumter County:

T19S, R22E, Sections 01, 02, 11 & 12

When interpreting the results of our search, please consider the following information:

- This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.
- Because vandalism and looting are common at Florida sites, we ask that you limit the distribution of location information on archaeological sites.
- While many of our records document historically significant resources, the documentation of a resource at the Florida Master Site File does not necessarily mean the resource is historically significant.
- Federal, state and local laws require formal environmental review for most projects. This search **DOES NOT** constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.

Please do not hesitate to contact us if you have any questions regarding the results of this search.

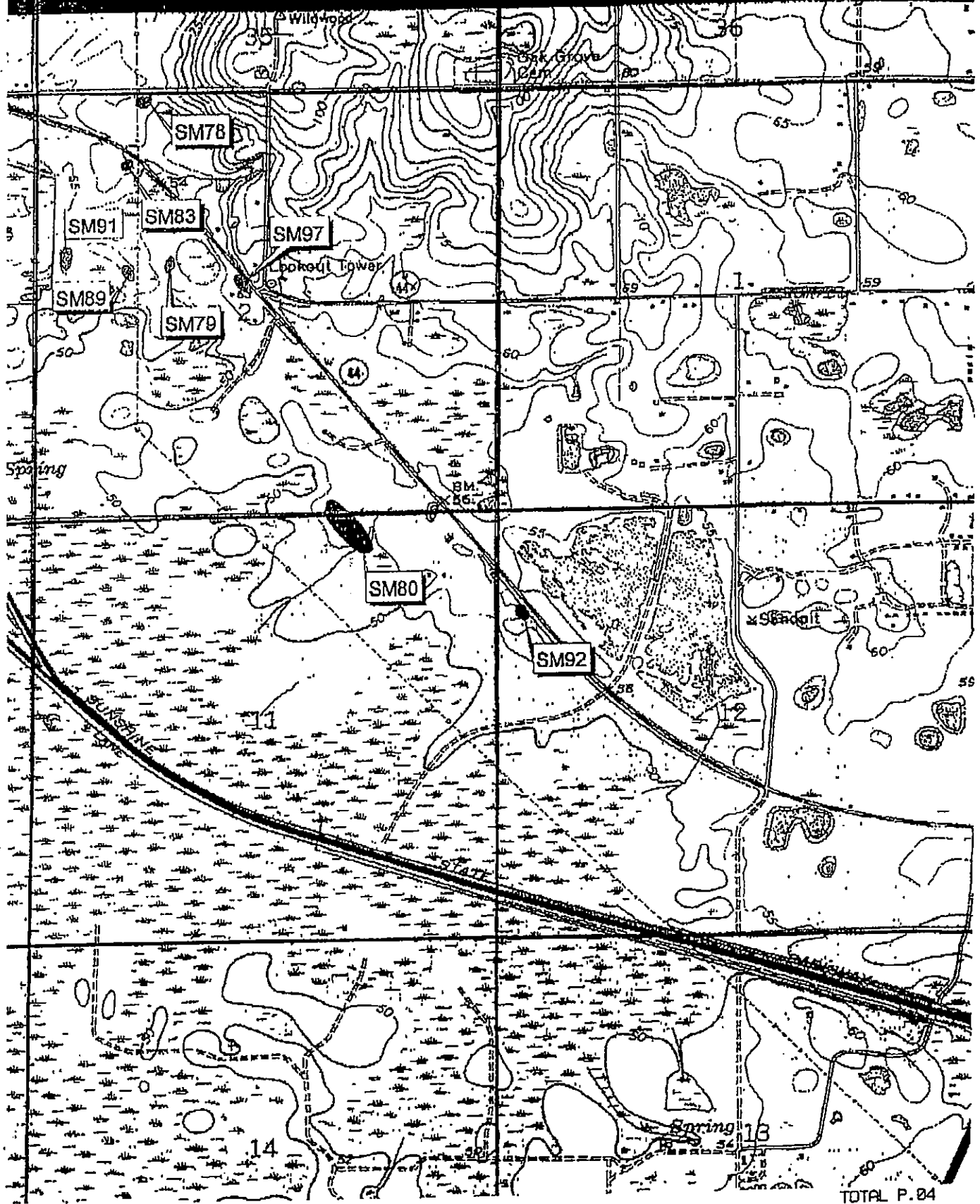
Sincerely,

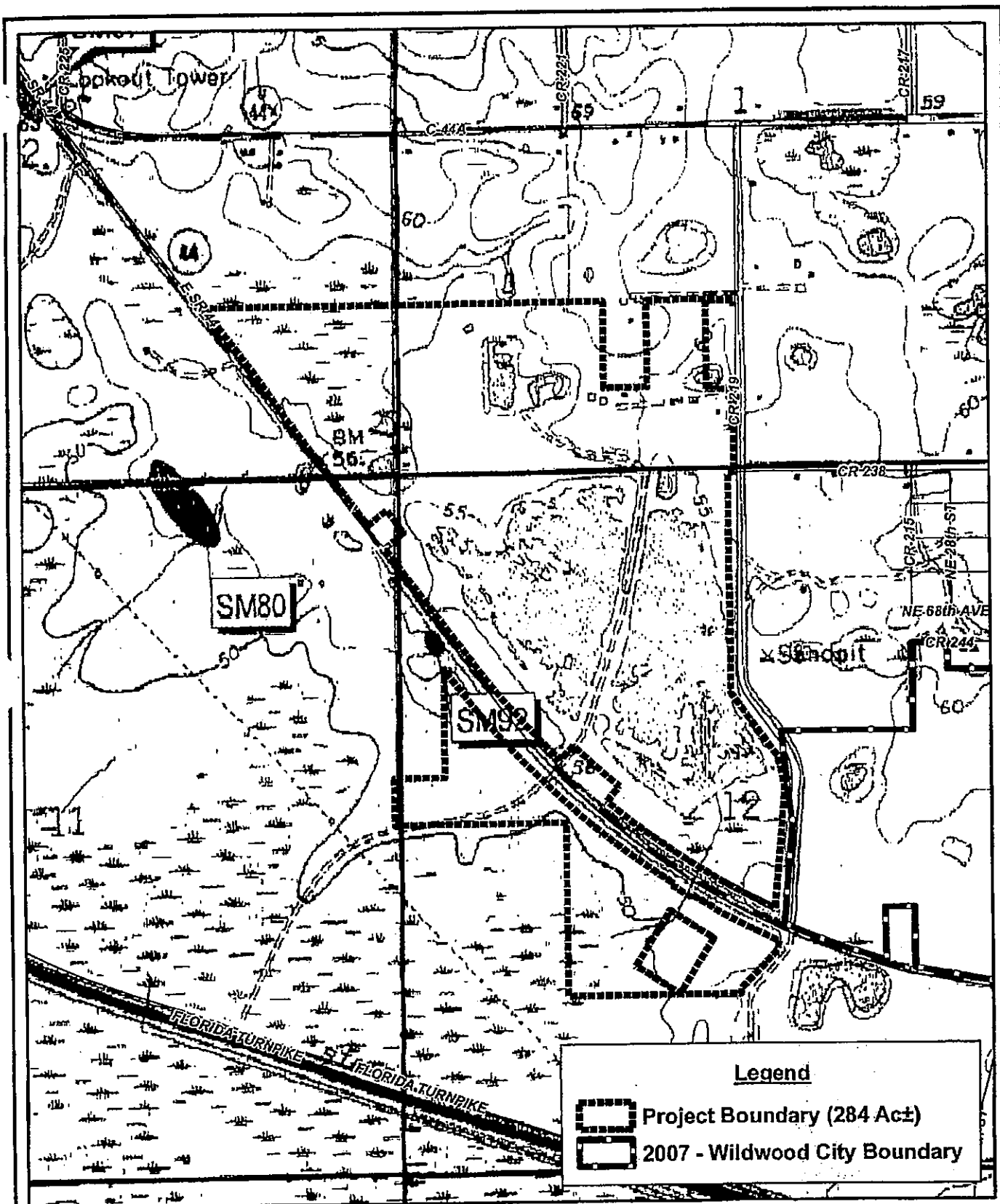
Celeste Ivory  
Administrative Assistant II/Assistant Supervisor  
Florida Master Site File  
[mcivory@dos.state.fl.us](mailto:mcivory@dos.state.fl.us)

## CULTURAL R. IS REPORT

SITEID	FORMNO	T-R-S	CR	SITENAME	NRLIST SURVEY	LOCATION	OTHER
SM00078	198812	18S/22E/15	AR	SMALL RISE	2243 Map: WILD		Culture: PREA Sitetype: SCLI
SM00079	198812	19S/22E/1	AR	SINGLE FLAKE	2243 Map: WILD		Culture: PREA Sitetype: SCLI
SM00080	198812	19S/22E/2	AR	RV PARK	2243 Map: WILD		Culture: PREA Sitetype: PREA
SM00081	198812	19S/22E/2	AR	REDDEPOSITED	2243 Map: WILD		Culture: PREA Sitetype: PREA
SM00089	198906	19S/22E/2	AR	SINGLE FLAKE II	2227 Map: WILD		Culture: PREA Sitetype: PREA
SM00091	198906	19S/22E/2	AR	SAND PIT EAST	2227 Map: WILD		Culture: PREA Sitetype: PREA
SM00092	198905	19S/22E/12	AR	BILLBOARD	2227 Map: WILD		Culture: PREA Sitetype: PREA
SM00097	198903	19S/22E/1	AR	BEACH BOTTLE	2227 Map: WILD		Culture: PREA Sitetype: SCNQ

8 site(s) evaluated; 8 form(s) evaluated. (8 AR)  
Print date: 3/14/2008 8:30:24 AM





**Legend**

Project Boundary (284 Ac±)

2007 - Wildwood City Boundary

1 inch equals 1,000 feet

**Lee Capital Limited Partnership**  
 Archeological Sites  
 Sumter County, Florida

Project No: 12353  
 File Name: 12353\_archeological\_6x11.mxd  
 Project Name: Buruff  
 Project Manager: Greg Bolhaus  
 Creation Date: October 31, 2007  
 Revision Date: March 14, 2008  
 Created By: D. Ludwig

**LPG Urban & Regional Planners, Inc.**  
 1163 Camp Brown, Mount Dora, Florida 32717  
 Office: (352) 383-1940 / Fax: (352) 383-8874

# Exhibit E

## Proposed Text Amendment to the IP (Planned Industrial) District Section of the Sumter Code.

Consistent with Policy 7.1.2.18 of the Sumter County Comprehensive Plan the applicant is proposing the following text amendment to the Sumter Code to allow Commercial and Office Uses in the IP Planned Industrial district. The amended language should read as follows:

**Text Amendment: added language in part to Page 159 of the Sumter Code .**

**b.2. IP (Planned Industrial) district.**

**In the IP planned industrial district, any industrial, commercial or office land use is permitted; however...**

# PLANNED UNIT DEVELOPMENT PLAN FOR SUMTER COMMERCIAL/INDUSTRIAL PARK

## GENERAL NOTES

1. TOTAL PROJECT ACRES: 294.00 AC.
2. EXISTING ZONING: ID AND AS
3. PROPOSED ZONING: IP
4. ADJACENT ZONING: SEE PLANS
5. PARCELS: P1-001, P1-002, P1-003, P1-004, P1-005 AND P1-006
6. EXISTING LAND USE: AGRICULTURAL
7. ADJACENT LAND USE: SEE PLANS
8. PLANT DESIGNATION: INDUSTRIAL
9. THERE ARE NO KNOWN HISTORIC SITES OR HISTORIC BUILDINGS LOCATED ON THE SITE.
10. FLOOD ZONE PER FEMA MAP NO. 13024N 02S D
11. WETLAND AREA: 21.96 AC.
12. WETLAND BUFFER: 25' (TYP)
13. FLOODPLAIN BUILDING HEIGHT: 50'
14. CENTRAL WATER AND SEWER WILL BE PROVIDED BY CITY OF HILDWOOD.
15. SHOWS SHALL BE SETBACK NO LESS THAN 10 FEET FROM PUBLIC ROW AND 10 FEET FROM PROPERTY LINE.
16. ALL BUILDING SLABS ARE A MINIMUM OF 18" ABOVE FLOOD ELEVATION.
17. LOCATION & QUANTITY OF FIRE HYDRANTS TO COMPLY WITH APPLICABLE CODES.
18. PROJECT AREAS:
  - TOTAL SITE AREA: 294.00 ACRES (100%)
  - BUILDING AREA: 66.16 AC (22.50%)
  - PAVED SURFACE: 87.69 AC (29.82%)
  - TOTAL IMPERVIOUS AREA: 153.85 AC (52.33%)
  - OPEN SPACE PROVIDED (WETLAND, LAKE, LANDSCAPING): 113.94 AC (47.55%)
19. PARKING CALCULATIONS:
  - TOTAL INDUSTRIAL SPACES REQUIRED: 1,460
  - TOTAL INDUSTRIAL SPACES PROVIDED: 1,460
  - TOTAL COMMERCIAL SPACES REQUIRED: 1,225
  - TOTAL COMMERCIAL SPACES PROVIDED: 1,225
20. MAXIMUM LOT COVERAGE BY BUILDINGS: 50%
21. NO HAZARDOUS MATERIALS ARE TO BE STORED ON SITE.
22. SIDEWALKS TO COMPLY WITH COUNTY CODE REQUIREMENTS.
23. PLANS SEE THE SITE PLAN FOR BUFFER DESIGNATIONS.
24. ALL STREETS, STORM WATER MANAGEMENT FACILITIES AND DRAINAGE STRUCTURES SHALL BE PRIVATELY OWNED AND MAINTAINED.
25. ALL EXISTING WELLS AND SEPTIC TANKS DETERMINED TO BE OF NO USE WILL BE PLUGGED AND ABANDONED IN ACCORDANCE WITH DEP, SWFWMD RULE CHAPTER 40D-3.581 AND HAMILTON COUNTY PUBLIC HEALTH UNIT REGULATIONS.
26. THE PROJECT IS TO BE CONSTRUCTED IN MULTIPLE PHASES.
27. SOLID WASTE TO BE COLLECTED AT THE DUMPSTERS.
28. THE INDUSTRIAL PORTION OF THE PROJECT WILL BE GATED.
29. WATER SERVICE WILL BE PROVIDED BY THE CITY OF HILDWOOD VIA AN EXISTING 12" WATER LINE ON THE SOUTH SIDE OF SR 44 AND AN EXISTING 8" WATER LINE CR 24.
30. WASTEWATER SERVICE WILL BE PROVIDED BY THE CITY OF HILDWOOD VIA AN EXISTING GRAVITY SYSTEM OR FORCEMAIN DIRECTED TO EXISTING LIFT STATIONS ON SR 44.

## INDUSTRIAL / COMMERCIAL PARK

### PROJECT TEAM

**OWNER:**  
LEE CAPITAL LIMITED PARTNERSHIP  
2212 58TH Ave. E.  
Bradenton, FL  
(941) 359-9000  
Fax: (941) 359-9300

**CIVIL ENGINEER:**  
CAVOLI Engineering, Inc.  
7357 International Place, Suite 101  
Sarasota, FL 34240  
(941) 907-7007  
Fax: (941) 907-7008

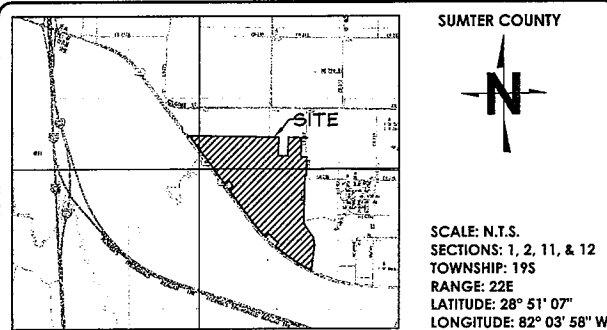
**ENVIRONMENTAL CONSULTANT:**  
STEINBAUM & ASSOCIATES  
P.O. Box 15437  
Sarasota, FL 34277  
(941) 378-4759  
Fax: (941) 378-5645

**SURVEYOR:**  
Farmer Barley and Assoc., Inc.  
4450 NE 83rd Road  
Wildwood, FL 34785  
(352) 753-3114

**PLANNER:**  
GENESIS PLANNING &  
DEVELOPMENT, INC.  
5972 River Forest Circle  
Bradenton, FL 34203  
(941) 374-5844

## INDEX OF DRAWINGS

- 1 COVER SHEET
- 2 AERIAL W/ SITE PLAN
- 3 EXISTING CONDITIONS / DEMOLITION PLAN
- 4 PLANNED UNIT DEVELOPMENT PLAN



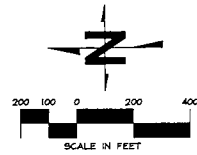
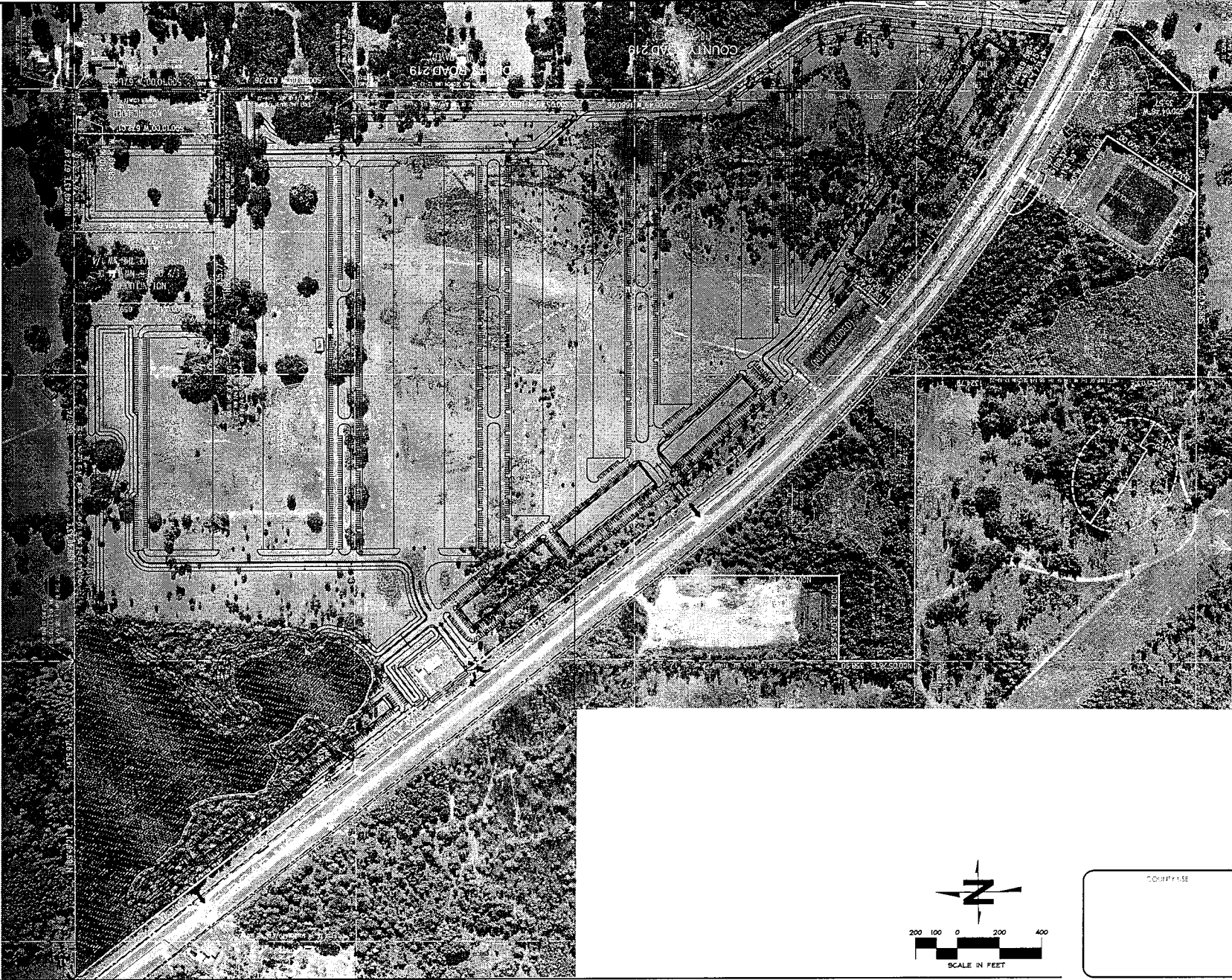
**CAVOLI Engineering, Inc.**  
Consulting Civil Engineers  
FL Cert. of Auth. No. 8875  
7357 International Place, Suite 101, Sarasota, FL 34240 email: cavoliengineer@aol.com

(941) 907-7007  
Fax: (941) 907-7008

SHEET  
1

JOHN F. CAVOLI, P.E.  
FL LICENSE NO.: 48692





COPY FILE

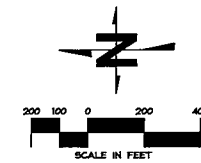
DRAWN	JLK
CHECKED	JFC
DATE	6/2/09
SCALE	1"=200'
JOB NO.	ENRUP27
SHEET	2

JOHN F. CAVOLI P.E.  
LICENSE NO. 18667

NO.	REVISIONS	DATE	BY

CUST: LEE CAPITAL LIMITED PARTNERSHIP  
PROJECT: SUMTER COMMERCIAL/INDUSTRIAL PARK  
SHEET: AERIAL W/ SITE PLAN

**CAVOLI Engineering, Inc.**  
Consulting Civil Engineers  
100 International Place, Suite 100, Somerville, MA 02144  
(617) 452-1000  
Fax: (617) 452-1008  
Email: info@cavoli-engineering.com



CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS PRIOR TO THE START OF CONSTRUCTION

COUNTY USE

**CAVOI Engineering, Inc.**  
 Consulting Civil Engineers  
 10000 Highway 100  
 Suite 100  
 Houston, TX 77036  
 Tel: (713) 992-0000  
 Fax: (713) 992-0001  
 Email: info@cavoieng.com

CURVE: LEE CAPITAL LIMITED PARTNERSHIP  
 PROJECT: SUMNER COMMERCIAL/INDUSTRIAL PARK  
 SHEET: EXISTING CONDITIONS PLAN

NO.	REVISIONS	DATE	BY

JOHN F. CAVOI, P.E.  
 P. LICENSE NO. 48897

DRAWN: J.K.  
 CHECKED: J.F.C.  
 DATE: 6/1/09  
 SCALE: 1"=200'  
 JOB NO: BRU027

SHEET  
**3**



# Board of Sumter County Commissioners

## Division of Planning & Development

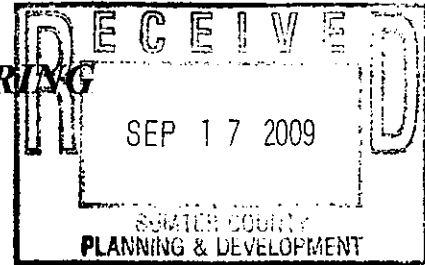
### Planning Department

910 North Main Street, Suite 301 • Bushnell, FL 33513-6146 • Phone (352) 793-0270 • FAX: (352) 793-0274  
SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/plandevlop>

## NOTICE OF PUBLIC HEARING

September 2, 2009

ONDRIEZEK RICHARD K & LAURA W  
7238 CR 219  
WILDWOOD, FL 34785



To **property owners** whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of Lee Capital Limited Partnership. This property is being considered for a **rezoning and a developers agreement** at a public hearing.

**CASE#R2009-0016. IP (Planned Industrial) Zone** provides for a mix of industrial & commercial office uses. The intent of this zoning district is to establish "IP" districts under approved site plans, submitted and subject to conditions necessary to promote the general welfare and to secure economic and coordinated land use. IP is appropriate for situations where mixes of industrial, commercial, or office uses are sought, or where a potential for negative impact to surrounding uses exists.

A **public hearing** before the Zoning and Adjustment Board/Local Planning Agency will be held at 910 North Main Street, Suite 142, Bushnell, Florida on Monday, September 21, 2009 at 6:30 p.m.

The property is located as follows: The Wildwood area: North on US 301. West on SR 44. The property is located on the northwest corner of SR 44 and CR 219.

The recommendations of the Zoning and Adjustment Board will be presented to the Sumter Board of County Commissioners at a public hearing to be held in Room 142, 910 North Main Street, Bushnell, Florida, on Tuesday, September 29, 2009 at 5:30 p.m.

Hearings may be continued from time to time as found necessary. Any questions you may have should be directed to: SUMTER COUNTY PLANNING DEPARTMENT, 910 North Main Street, Suite 301, Bushnell, Florida, 33513.

☐ I approve of the above.

☒ I do not approve of the above for the following reason(s): See attached

Please return no later than September 14, 2009 RE: CASE# R2009-0016

There is currently two Industrial Parks located on Highway 44, one very close to the Lee property, with many commercial sites available for businesses to occupy. The other Industrial Park is located just east of the US Highway 301 and Highway 44 corridor, and is also across from the new entrance being built to The Villages, and the majority of those buildings are available. The County does not need to destroy more of our pastures and nature to build commercial buildings or Industrial Parks. The current available space needs to be filled prior to any new development and further destruction of land.

# Board of Sumter County Commissioners

## Division of Planning & Development

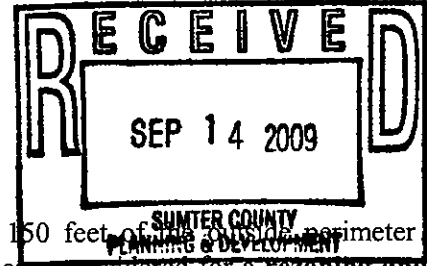
### Planning Department

910 North Main Street, Suite 301 • Bushnell, FL 33513-6146 • Phone (352) 793-0270 • FAX: (352) 793-0274  
SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/plandevelop>

## NOTICE OF PUBLIC HEARING

September 2, 2009

GASAWAY ESTER LAWANA &, JOE KE  
PO BOX 478  
WILDWOOD, FL 34785



To **property owners** whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of Lee Capital Limited Partnership. This property is being considered for a **rezoning and a developers agreement** at a public hearing.

**CASE#R2009-0016. IP (Planned Industrial) Zone** provides for a mix of industrial & commercial office uses. The intent of this zoning district is to establish "IP" districts under approved site plans, submitted and subject to conditions necessary to promote the general welfare and to secure economic and coordinated land use. IP is appropriate for situations where mixes of industrial, commercial, or office uses are sought, or where a potential for negative impact to surrounding uses exists.

A **public hearing** before the Zoning and Adjustment Board/Local Planning Agency will be held at 910 North Main Street, Suite 142, Bushnell, Florida on Monday, September 21, 2009 at 6:30 p.m.

The property is located as follows: The Wildwood area: North on US 301. West on SR 44. The property is located on the northwest corner of SR 44 and CR 219.

The recommendations of the Zoning and Adjustment Board will be presented to the Sumter Board of County Commissioners at a public hearing to be held in Room 142, 910 North Main Street, Bushnell, Florida, on Tuesday, September 29, 2009 at 5:30 p.m.

Hearings may be continued from time to time as found necessary. Any questions you may have should be directed to: SUMTER COUNTY PLANNING DEPARTMENT, 910 North Main Street, Suite 301, Bushnell, Florida, 33513.

I approve of the above.

☒ I do not approve of the above for the following reason(s):

*See Attached*

Please return no later than September 14, 2009 RE: CASE# R2009-0016

September 13, 2009

First of all, I do not agree with this type of proposal due to the fact that Wildwood/Sumter County already has three of these industrial parks within a 5 mile radius of this site. One is progressing at a wobbly pace at best, one is on the verge of failing and the last one has failed. Perhaps Sumter County might want to look at something besides making west highway 44 an industrial park. These businesses are **NOT** working.

Secondly, with unemployment as high as 9.7% nationally and businesses folding around the country why would you want to promote a business that is already failing in this area??? This is not logical.

Thirdly, with the fiasco of the X-Mart, you want to approve a business that you ***do not*** know what they are planning on putting in this site. This time Sumter County might be the recipient of a Massage Parlor or a facility for nuclear waste storage for Crystal River.

To sum this up, I think within five years of completion, this will be another area of empty buildings and dog fennels growing through the cracks in the drive way. **How pretty is that and wouldn't our county commissioners want this in their backyards????**

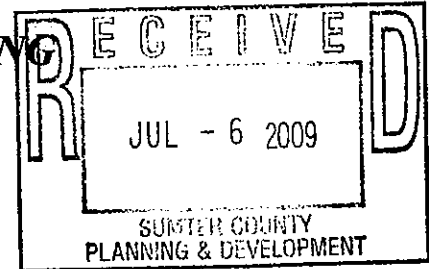
# Board of Sumter County Commissioners

## Division of Planning & Development

### Planning Department

910 North Main Street, Suite 301 • Bushnell, FL 33513-6146 • Phone (352) 793-0270 • FAX: (352) 793-0274  
SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/plandevelop>

## NOTICE OF PUBLIC HEARING



June 24, 2009

GASAWAY ESTER LAWANA &, JOE KE  
PO BOX 478  
WILDWOOD, FL 34785

To property owners whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of Lee Capital Limited Partnership. This property is being considered for rezoning at a public hearing.

**CASE# R2009-0016**. IP (Planned Industrial) Zone provides for any industrial land use currently available in any other industrial district. The intent of this zoning district is to establish "IP" districts individually under approved site plans, submitted and subject to conditions necessary to promote the general welfare and to secure economic and coordinated land use. IP is appropriate for situations where mixes of industrial uses are sought, or where a potential for negative impact to surrounding uses exists.

A public hearing before the Zoning and Adjustment Board will be held at 910 North Main Street, Suite 142, Bushnell, Florida on Monday, July 20, 2009, at 6:30 p.m.

The property is located as follows: Wildwood area: North on US 301. West on SR 44. The property is located on the NW corner of SR 44 & CR 219.

The recommendations of the Zoning and Adjustment Board will be presented to the Sumter Board of County Commissioners at a public hearing to be held at Colony Cottage Recreation Center, 510 Colony Boulevard, The Villages, Florida, on Tuesday, July 28, 2009 at 5:30 p.m.

Written comments filed with the Zoning and Adjustment Board, 910 North Main Street, Suite 301, Bushnell, Florida, 33513, will be heard. Hearings may be continued from time to time as found necessary. Any questions you may have should be directed to: SUMTER COUNTY PLANNING AND ZONING DEPARTMENT, 910 North Main Street, Suite 301, Bushnell, Florida, 33513.

☐ I approve of the above.

☒ I do not approve of the above for the following reason(s): I have voiced my concerns in person & through the mail - without our commissioners really giving a care or concern what their constituents think

Please return no later than July 10, 2009 RE: CASE# R2009-0016